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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,213	09/24/2003	Bradley R. Schaefer	CE11342W	6963

23330 7590 01/26/2005

MOTOROLA, INC.

Corporate Law Department - #56-238

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Phoenix, AZ 85018

EXAMINER

CORSARO, NICK

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/671,213	Applicant(s) SCHAEFER ET AL.	
	Examiner Nick Corsaro	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 is/are allowed.
- 6) ☒ Claim(s) 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Five figures are shown in the drawings however the disclosure does not discuss figure 5 nor does it include figure 5 in the section labeled "BRIEF DESCRIPTION OF THE DRAWINGS". Either the specification should be modified, keeping in mind that no new matter can be entered, or figure 5 should be deleted.

Appropriate correction is required.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "TEMPORARY BLOCK FLOW ALLOCATION METHOD FOR PUSH TO TALK (PTT) COMMUNICATIONS SYSTEM".

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "The specification mentions a numeral 21, of figure 1, however figure 1 does not include an item 21". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the

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examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claim 21 recites the limitation "the downlink temporary block" and "the down link terminal block" in lines 7 and 9, respectively. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

6. Claims 1-20 are allowed.
7. Claims 21-25 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

8. The following is a statement of reasons for the indication of allowable subject matter:

Concerning claims 1-20, the prior art of record fails to teach a method for talker arbitration for a push-to-talk function, the method for talker arbitration comprising the steps of: receiving an indication that a talking floor is available; establishing an uplink temporary block flow; prior to a release of the uplink temporary block flow by the mobile communication system, sending a refresh message to the mobile communication system to hold the uplink temporary block flow; and activating the push-to-talk function.

Concerning claims 21-25, the prior art of record fails to teach, a method for wake up of a target mobile unit comprising the steps of: obtaining by the mobile communication system an identifier of the target mobile unit; sending by the mobile communication system a wake up packet to the target mobile unit; and prior to a release of the downlink temporary block flow, sending by the mobile communication system a wake up message to hold the downlink terminal block flow.

Rosen et al. (6,738,617) and Maggenti et al. (US 2002/0058523 A1) are exemplary references from the relevant subclasses. Both Rosen and Maggenti are disclosing state of the art Push to Talk communication systems, wherein in the Group communication systems push to talk (PTT) is incorporated to summon channel assignments from the system. Both systems disclose that upon depression of a PTT at communication unit, a floor request is initiated to the system and if successful a floor grant is sent to communication unit. Subsequently or simultaneously the target communication units are contacted along with channel assignments and releases that accompany PTT depressions. Rosen and Maggenti also discuss sending wake up signals to the intended target communication unit if session has gone dormant.

Therefore, with regard to claims 1-20, the prior art discloses a method for talker arbitration for a push-to-talk function, the method for talker arbitration comprising the steps of: receiving an indication that a talking floor is available; establishing an uplink temporary channel and initiation the PTT communication session; however, the prior art fails to teach Uplink Temporary Block flows, and prior to a release of the uplink temporary block flow by the mobile communication system, sending a refresh message to the mobile communication system to hold the uplink temporary block flow; and activating the push-to-talk function and, with regard to

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claims 21-25, the prior art discloses a method for wake up of a target mobile unit comprising the steps of: obtaining by the mobile communication system an identifier of the target mobile unit; sending by the mobile communication system a wake up packet to the target mobile unit; however the prior art fails to teach downlink terminal block flows, and prior to a release of the downlink temporary block flow, sending by the mobile communication system a wake up message to hold the downlink terminal block flow.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nick Corsaro whose telephone number is 703-306-5616. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nick Corsaro

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A handwritten signature in black ink, appearing to read "Nick Corsaro". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Primary Examiner
(703) 306-5616

NICK CORSARO
PRIMARY EXAMINER